

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TQP DEVELOPMENT, LLC,

Plaintiff,

v.

DELL, INC., et al.,

Defendants.

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CIVIL ACTION NO. 2:10-cv-446

JURY TRIAL DEMANDED

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

The Plaintiff, TQP Development, LLC and Defendants Hewlett-Packard Company (“HP”), Hewlett-Packard Development Company, L.P. (“HPDC”), United Continental Holdings, Inc. (“United Continental Holdings”), and United Air Lines, Inc. (“UAL”), pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing Plaintiff’s claims in this action against HP, HPDC, United Continental Holdings and UAL WITH PREJUDICE and dismissing all counterclaims as MOOT, subject to the terms of that certain agreement entitled **“MASTER AGREEMENT”** and dated August 9, 2011, with each party to bear its own costs, expenses and attorneys’ fees.

Dated: August 22, 2011

Respectfully submitted,

/s/ Andrew W. Spangler

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ATTORNEYS FOR DEFENDANTS/
Hewlett-Packard Company, Hewlett-Packard
Development Company, L.P., United Continental
Holdings, Inc., and United Air Lines, Inc.

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 22nd day of August, 2011, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Andrew W. Spangler
Andrew W. Spangler